

Notice of Allowability

Application No.

10/066,087

Examiner

Hadi Shakeri

Applicant(s)

RIVERA, BENJAMIN C.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to phone interview on 02/24/05.
2. ☒ The allowed claim(s) is/are 13-16,24-29,31-33,37,38,43 and 44.
3. ☒ The drawings filed on 30 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 022405.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

HADI SHAKERI
PRIMARY EXAMINER

2/24/5

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Peter Staples on Thursday February 24, 2005.

The application has been amended as follows:

Please replace all prior claims with this listing of claims:

Claims 1-12 (Canceled)

Claim 13 (currently amended) A frame member for a folding tool of the type having first and second folding tools bits pivotable between folded and extended positions, said frame member comprising a first elongate plate having a first integral flange extending outwardly from said plate in a first direction along at least a portion of said plate, said first flange having a first integral leaf spring capable of bearing upon a base of said first folding tool bit, said frame member including a second integral flange extending in a second direction said second flange including a first integral leaf spring capable of bearing upon a base of said second folding tool bit, said frame member further including a second plate spaced apart from said first plate and integrally joined thereto by said second flange along at least a portion of the length of said plates, such that said first33 plate, second plate and second flange comprise a channel.

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Claim 14 (original) A frame member according to claim 13 wherein said first and second plates each have first apertures aligned with each other so as to accept a common pivot pin about which said first and second tools bits can pivot.

Claim 15 (original) A frame member according to claim 13 wherein said first and second plates each have first and second aligned apertures therein capable of respectively receiving first and second pivots pins each extending through said first and second plates for pivotably mounting said first tool bit on said first pivot pin outside of said channel and said second tool bit on said second pivot pin within said channel.

Claim 16 (currently amended) A frame member for a folding tool of the type having first and second folding tools bits pivotable between folded and extended positions, said frame member comprising a first elongate plate having a first integral flange extending outwardly from said plate in a first direction along at least a portion of said plate, said first flange having a first integral leaf spring capable of bearing upon a base of said first folding tool bit, said frame member including a second integral flange extending in a second direction said second flange including a first integral leaf spring capable of bearing upon a base of said second folding tool bit, said frame member further including a second plate and a third flange, said second flange integral with and extending outwardly from said second plate in said second direction, said third flange integrally joining said first and second plates at least along a portion of the length of said plates so as to form a channel.

Claims 17-23 (Canceled)

Claim 24 (original) A frame member for a folding tool, said frame member comprising an elongate channel having first and second substantially opposed sidewalls joined by an integral

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channel floor extending along at least a portion of said channel, and further including an elongate integral first flange extending outwardly from said first sidewall along at least a portion of said sidewall in a first direction away from said channel, said first flange including an integral leaf spring.

Claim 25 (original) A frame member according to claim 24 wherein said first and second sidewalls are substantially parallel and said first flange extends normally from said first sidewall.

Claim 26 (original) A frame member according to claim 24 wherein said channel floor includes an integral leaf spring.

Claim 27 (original) A frame member according to claim 24 further including an elongate integral second flange extending outwardly from said second sidewall in a second direction away from said channel, said second flange including an integral leaf spring.

Claim 28 (original) A frame member according to claim 27 wherein said sidewalls have upper and lower edges, said channel floor connecting said lower edges of said sidewalls, and said first and second flanges extending outwardly from said upper edges of said respective sidewalls.

Claim 29 (original) A frame member according to claim 24 wherein said sidewalls have upper and lower edges, said channel floor connecting said lower edges of said sidewalls, and said first flange extending outwardly from said upper edge of said first sidewall.

Claim 30 (Canceled)

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Claim 31 (original) A subassembly of a folding tool comprising: (a) an elongate, channel shaped frame member having first and second spaced apart sidewalls joined by integral channel floor along at least a portion of said channel;

(b) a first elongate integral flange extending outwardly from said first sidewall in a first direction away from said channel, said first flange having a first integral leaf spring;

(c) a first pivot pin extending away from said first channel sidewall in said first direction;

(d) a first tool bit pivotably mounted outside said channel on said first pivot pin for pivoting movement between folded and extended positions, said first spring bearing against a base of said first tool bit; and

(e) a second tool bit pivotably mounted in said channel for pivoting movement between folded and extended positions.

Claim 32 (original) A subassembly according to claim 31 wherein said first pivot pin also extends into said channel, said second tool bit pivotably mounted on said first pivot pin.

Claim 33 (original) A subassembly according to claim 31 including a second pivot pin extending into said channel, said second tool bit pivotably mounted on said second pivot pin.

Claims 34-36 (Canceled)

Claim 37 (original) A subassembly according to claim 31 including a spring within said channel bearing against a base of said second tool bit.

Claim 38 (original) A subassembly according to claim 32 further including a second elongate integral flange extending outwardly from said second channel wall in a second direction away from said channel, said second flange including a first integral leaf spring and a

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third tool bit pivotably mounted outside said channel, said leaf spring associated with said second flange bearing upon a base of said third tool bit.

Claims 39-42 (Canceled)

Claim 43 (original) A channel-shaped frame member for a folding tool comprising a pair of spaced-apart side plates integrally joined by a channel floor, and further including first and second integral flanges extending outwardly from said first and second side plates in first and second directions away from said channel, each of said flanges including an integral leaf spring.

Claim 44 (currently amended) A channel-shaped frame member according to claim 43 wherein said side plates each include upper and lower edges, said channel floor connecting said lower edges of said side plates, said flanges extending outwardly from said upper edges of said respective side plates.

Claim 45 (Canceled)

Please replace the Abstract with the following:

ABSTRACT OF THE DISCLOSURE

A frame member for the handle of a folding knife or multipurpose tool includes an integral flange with an integral leaf spring. Frames are shown in the form of a channel with an integral external flange extending outwardly from the top of a channel wall in a direction away from the channel. Pivot pins extending through the channel and out the channel wall carry pivoting tool blades. An integral leaf spring on the external flange bears against the base of a blade pivotably connected to the frame outside of the channel. Other tool blades are carried inside the channel and pivot about the pivot pin.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hadi Shakeri whose telephone number is (571) 272-4495. The examiner can normally be reached on Monday-Friday.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Hadi Shakeri', is written over a printed name block.

Hadi Shakeri
Primary Examiner
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February 24, 2005